

circumstances do exist. First, establishment of EAS between Louisburg and Zebulon would provide county-seat calling for a significant minority--15%--of Zebulon subscribers. Second, the school situation in south Franklin County would benefit from EAS. As Mr. Tommy Piper of the Franklin County schools testified, approximately 50% of the students at schools in the Louisburg exchange live in the Zebulon exchange. Accordingly, the Commission concludes that the entire polling request should be authorized.

IT IS, THEREFORE, ORDERED as follows:

1. That Carolina be, and the same is hereby, authorized to conduct a poll for the proposed interLATA EAS in its Franklinton and Louisburg exchanges to determine their desire for the proposed EAS, utilizing the polling letter attached as Appendix A as an example.
2. That Carolina file the results of the EAS poll broken down by business and residential categories as soon as the results are known.

ISSUED BY ORDER OF THE COMMISSION.

This the 28<sup>th</sup> day of November 1994.

NORTH CAROLINA UTILITIES COMMISSION

Geneva S. Thigpen  
Geneva S. Thigpen, Chief Clerk

(SEAL)

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. P-7, SUB 809

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Louisburg to Raleigh and Zebulon Extended  
Area Service

NOTICE TO LOUISBURG  
SUBSCRIBERS REGARDING  
EAS TO THE RALEIGH AND  
ZEBULON EXCHANGES

NOTICE IS HEREBY GIVEN that Carolina Telephone and Telegraph Company has been authorized by the North Carolina Utilities Commission to poll the telephone subscribers in its Louisburg exchange (406) regarding the matter of two-way, non-optional extended area service (EAS) to Southern Bell's Raleigh and Zebulon exchanges (269, 404). The purpose of the poll is to determine how many Louisburg subscribers are in favor of paying higher monthly flat rates in lieu of toll charges for calling to Raleigh and Zebulon. Your existing local calling area will not be affected by this proposal.

BASIC MONTHLY RATE INCREASES FOR  
EAS TO RALEIGH AND ZEBULON

Residence      Business

\$1.57

\$3.70

You are requested to consider the question, mark your preference on the enclosed postcard ballot (stamped and preaddressed), and mail the ballot at your earliest convenience. Ballots postmarked after midnight 1994, will not be counted in the vote. In addition, the ballot must be signed by the customer and a telephone number must be provided in order for the ballot to be counted in the vote. IF YOU WISH TO HAVE A VOICE IN THIS DECISION, YOU MUST RETURN THE MARKED BALLOT. The Commission's decision on the EAS proposal will be announced after the poll has been completed.

If you need additional information about this matter, you may contact your local telephone office at (                      ) or the Public Staff, Post Office Box 29820, Raleigh, North Carolina 27626-0820, (919-733-2810).

ISSUED BY ORDER OF THE COMMISSION.

This the 28<sup>th</sup> day of November 1994.

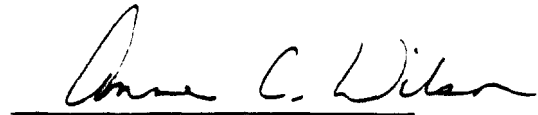
NORTH CAROLINA UTILITIES COMMISSION

Geneva S. Thigpen  
Geneva S. Thigpen, Chief Clerk

(SEAL)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6th day of September, 1995, a copy of the foregoing was served by first-class U.S. Mail, postage prepaid, to the parties on the attached service list.

A handwritten signature in cursive script, reading "Anne C. Wilson", is written over a horizontal line.

Anne C. Wilson

**Ad Hoc Telecommunications User Committee**  
**James S. Blaszak**  
**Levine, Blaszak, Block & Boothby**  
**1300 Connecticut Avenue, N.W.**  
**Suite 500**  
**Washington, D.C. 20036**

**AirTouch Communications**  
**David A. Gross**  
**1818 N Street, N.W.**  
**Suite 800**  
**Washington, D.C. 20036**

**ALC Communications Corporation**  
**Roy L. Morris**  
**Deputy General Counsel**  
**1990 M. Street, N.W.**  
**Suite 500**  
**Washington, D.C. 20036**

**American Telephone and Telegraph Company**  
**John Zeglis**  
**Senior Vice President and General Counsel**  
**Room 17-435313**  
**295 N. Maple Avenue**  
**Basking Ridge, NJ 07920**

**Ameritech Corporation**  
**Thomas P. Hester**  
**Senior Vice President and General Counsel**  
**30 South Wacker Drive**  
**Chicago, IL 60606**

**Bell Atlantic**  
**Jim Young**  
**General Counsel**  
**1310 North Court House Road**  
**11th Floor**  
**Arlington, VA 22201**

**Bell Atlantic**  
**John Thorne**  
**John Goodman**  
**1320 North Court House Road**  
**8th Floor**  
**Arlington, VA 22201**

**California Public Utilities Commission**  
**Janice E. Kerr**  
**505 Van Ness Avenue**  
**San Francisco, CA 94102**

**Competitive Telecommunications Association**  
**Robert J. Aamoth**  
**Reed, Smith, Shaw & McClay**  
**1301 K Street, N.W.**  
**Suite 1100 - East Tower**  
**Washington, D.C. 20005-3317**

**CompuServe Incorporated**  
**Randolph J. May**  
**Sutherland, Asbill & Brennan**  
**1275 Pennsylvania Avenue, N.W.**  
**Washington, D.C. 20004**

**Dialog Information Services, Inc.**  
**Robert P. Reznick**  
**Hughes, Hubbard & Reed**  
**1300 I Street, N.W.**  
**Washington, D.C. 20005**

**Enhanced Services Systems**  
**J. M. Heller**  
**Managing Director**  
**1975 Morello Avenue**  
**Pleasant Hill, CA 94523**

**Federal Communications Commission**  
**Robert L. Pettit**  
**General Counsel**  
**1919 M Street, N.W.**  
**Washington, D.C. 20554**

**Fulbright & Jaworski, L.L.P.**  
**Stephen M. McNabb**  
**801 Pennsylvania Avenue, N.W.**  
**Washington, D.C. 20004-2604**

**GTE Service Corporation**  
**C. Daniel Ward**  
**One Stamford Forum**  
**Stamford, CT 06904**

**Independent Data Communications**  
**Manufacturers Association**  
**Herbert E. Marks**  
**Jonathan Jacob Nadler**  
**Thomas E. Skilton**  
**Squire, Sanders & Dempsey**  
**1201 Pennsylvania Avenue, N.W.**  
**Washington, D.C. 20044**

**Interactive Services Association, Inc.**  
**Howard M. Liberman**  
**Arter & Hadden**  
**1801 K Street, N.W.**  
**Suite 400K**  
**Washington, D.C. 20006**

**Maryland People's Counsel**  
**Gary L. Lieber**  
**Schmeltzer, Aptaker & Shepard**  
**2600 Virginia Avenue, N.W.**  
**Suite 1000**  
**Washington, D.C. 20037**

**MCI**  
**Michael H. Salisbury**  
**Jenner & Block**  
**601 13th Street, N.W.**  
**Suite 1200 S.**  
**Washington, D.C. 20005**

**Mead Data Central, Inc.**  
**Michael A. Jacobs**  
**Assistant General Counsel**  
**9393 Springboro Pike**  
**P.O. Box 933**  
**Dayton, OH 45401**

**Michael K. Kellogg**  
**Kellogg, Huber, Hansen & Todd**  
1300 I Street, N.W.  
Suite 500 East  
Washington, D.C. 20005

**National Telephone Cooperative Association**  
**Rural Telephone Coalition**  
**David Cosson**  
2626 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037

**National Consumers League, et al.**  
**Samuel A. Simon**  
901 - 15th Street, N.W.  
Suite 700  
Washington, D.C. 20005

**National Association of Broadcasters**  
**Robert E. Branson**  
1771 N. Street, N.W.  
Washington, D.C. 20036

**National Association of**  
**Regulatory Utility Commissioners**  
**Paul Rodgers**  
1102 ICC Building  
P.O. Box 684  
Washington, D.C. 20044

**National Cable Television Association, Inc.**  
**Mintz, Levin, Cohn, Ferris, P.C.**  
701 Pennsylvania Avenue, N.W.  
Suite 900  
Washington, D.C. 20004

**New York Public Service Commission**  
**William Cowan**  
**Paul Goia**  
New York State Department of Public Service  
Three Empire Plaza  
Albany, NY 12223

**Newspaper Association of America**  
**John F. Sturm**  
**Senior Vice President - Government, Legal & Pol:**  
11600 Sunrise Valley Drive  
Reston, VA 22091

**North American Telecommunications Association**  
**Albert H. Kramer**  
**Robert F. Aldrich**  
1201 New York Avenue, N.W.  
Penthouse Suite  
Washington, D.C. 20005

**NYNEX Corporation**  
**Raymond F. Burke**  
**Vice President and General Counsel**  
1113 Westchester Avenue  
4th Floor  
White Plains, NY 10604

**Pacific Telesis Group**  
**Richard W. Odgers**  
**James L. Wurtz**  
1275 Pennsylvania Avenue, N.W.  
Suite 400  
Washington, D.C. 20004

**Southwestern Bell Corporation**  
**James D. Ellis**  
Senior Executive Vice President and General Counsel  
175 East Houston  
Room 1306  
San Antonio, TX 78205

**Southwestern Bell Corporation**  
**Martin E. Grambow**  
Vice President and General Counsel  
1401 I Street, N.W.  
Suite 1100  
Washington, D.C. 20005

**Tandy Corporation**  
**John W. Pettit**  
Drinker, Biddle & Reath  
901 Fifteenth Street, N.W.  
Suite 900  
Washington, D.C. 20005

**Telecommunications Industry Association**  
**John L. McGrew**  
Willkie, Farr & Gallagher  
1155 - 21st Street, N.W.  
Three Lafayette Centre  
Washington, D.C. 20036

**Teleocator Network of America**  
**Richard E. Wiley**  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, D.C. 20006

**U S West, Inc.**  
**Charles P. Russ**  
1020 19th Street, N.W.  
Suite 700  
Washington, D.C. 20036

**United States Department of Justice**  
**Donald J. Russell**  
Chief, Telecommunications Task Force  
Antitrust Division  
555 - 4th Street, N.W.  
Washington, D.C. 20001

**U S Sprint**  
**Leon M. Kestenbaum**  
U S Sprint Communications Corporation  
Suite 1110  
1850 M Street, N.W.  
Washington, D.C. 20036

**USTA**  
**Mary McDermott**  
Vice President and General Counsel  
1401 H Street, N.W.  
Suite 600  
Washington, D.C. 20005-2136

**Capital Network Systems, Inc.**  
**d/b/a Capital Long Distance**  
**600 Congress Avenue**  
**Suite 1360**  
**Austin, TX 78701**

**Frontier Communications International, Inc.**  
**180 South Clinton Avenue**  
**Rochester, NY 14646**

**MFS Intelenet of North Carolina, Inc.**  
**6 Century Drive**  
**Suite 300**  
**Parsippany, NJ 07054**

**Pennsylvania Alternative Communications, Inc.**  
**d/b/a PACE Long Distance**  
**218 Maple Avenue**  
**Greensburg, PA 15601**

**Teleleasing Enterprises, Inc.**  
**1429 Messaro Boulevard**  
**Tampa, FL 33619-3005**

**West Coast Telecommunications, Inc.**  
**135 East Ortega Street**  
**Santa Barbara, CA 93101**

**LDDS of Carolina, Inc.**  
**P.O. Box 241346**  
**Charlotte, NC 28224**

**AllNet Communications Services, Inc.**  
**1990 M Street, N.W.**  
**Suite 500**  
**Washington, D.C. 20036**

**Amerifax, Inc.**  
**d/b/a AmeriConnect**  
**10975 Benson**  
**Suite 330**  
**Overland park, KS 66210**

**Business Telecom, Inc.**  
**5000 Falls of Neuse Road**  
**Suite 400**  
**P.O. Box 150002**  
**Raleigh, NC 27264-0002**



**Cable & Wireless, Inc.**  
1919 Gallows Road  
Vienna, VA 22180

**Carolina Telephone Long Distance, Inc.**  
P.O. Box 1195  
Tarboro, NC 27886

**Corporate Telemanagement Group, Inc.**  
430 Woodruff Road  
Suite 450  
Greenville, SC 29607

**Equal Net Communications, Inc.**  
2000 Dairy Ashford  
Suite 215  
Houston, TX 77077

**Executone Information Systems, Inc.**  
6 Thorndal Circle  
Darien, CT 06820

**GE Capital Communications Services**  
4960 Mountain View Parkway  
Birmingham, AL 35244

**LCI International Telecom Corporation**  
8180 Greensboro Drive  
Suite 800  
McLean, VA 22102

**LCI Telecom South, Inc.**  
4650 Lakelhurst Court  
Dublin, OH 43017

**LDDS Communications, Inc.**  
515 East Amite  
Jackson, MS 39201-2702

**One Call Communications, Inc.**  
801 Congressional Blvd.  
Carmel, IN 46032

**Phoenix Network, Inc.**  
**One Maritime Plaza**  
**Suite 2525**  
**San Francisco, CA 94111**

**Quest Telecommunications, Inc.**  
**242 Falcon Drive**  
**Forest Park, GA 30050**

**RD&J Communications, Inc.**  
**1803 Oak Street**  
**Myrtle Beach, SC 29577**

**SouthernNet, Inc.**  
**d/b/a Telecom USA**  
**780 Douglas Road**  
**Suite 800**  
**Atlanta, GA 30342-1409**

**Sprint Communications Company**  
**3065 Cumberland Circle**  
**Atlanta, GA 30339**

**SUMMIT Telecommunications, Inc.**  
**3650 Clay Pond Road**  
**Myrtle Beach, SC 29577-7326**

**Teledial America of North Carolina, Inc.**  
**8720 Redoak Blvd.**  
**Suite 503**  
**Charlotte, NC 28217**

**Trans National Communications, Inc.**  
**2 Charlegate West**  
**Boston, MA 02215-3552**

**U.S. Long Distance, Inc.**  
**9311 San Pedro**  
**Suite 300**  
**San Antonio, TX 78216**

**WiTel, Inc.**  
**One Williams Center**  
**P.O. Box 21348**  
**Tulsa, OK 74121**

**Wynn Communications Group, Inc.**

**206 East Center Street**

**P.O. Box 1631**

**Lexington, NC 27292**

## **ATTACHMENT II**

**Michael J. Schwarz**  
General Attorney

**BellSouth Corporation**  
Legal Department-Suite 1800  
1155 Peachtree Street, N.E.  
Atlanta, Georgia 30367-6000  
404 249-2655

September 20, 1995

Donald J. Russell, Esq.  
Chief, Communications and Finance Section  
Antitrust Division  
U.S. Department of Justice  
555 Fourth Street, N.W.  
Room 8104  
Washington, D.C. 20001

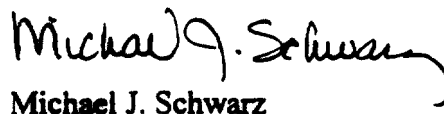
Re: Request by BellSouth Corporation for a Waiver of the Modification of Final  
Judgment to Provide Two-Way Non-Optional EAS Across a LATA  
Boundary Between the Chapel Hill Exchange and the Saxapahaw Exchange

Dear Mr. Russell:

Attached is a request by BellSouth Corporation on behalf of BellSouth Telecommunications, Inc., doing business as South Central Bell Telephone Company and Southern Bell Telephone and Telegraph Company, for a waiver to provide two-way non-optional extended area service between the Chapel Hill exchange in the Raleigh LATA and the Saxapahaw exchange in the Greensboro LATA.

Copies of this request have been served upon the persons listed on the attached Certificate of Service.

Sincerely,

  
Michael J. Schwarz

MJS/pz  
Attachments

cc: J. Philip Sauntry, Jr., Esq.



**NOTICE OF FILING WITH THE DEPARTMENT OF JUSTICE  
UNDER SECTION VIII(C) OF THE  
MODIFICATION OF FINAL JUDGMENT**

This is to advise you that BellSouth Corporation has submitted, pursuant to procedures set forth by the United States District Court for the District of Columbia in United States v. Western Electric Co., Inc. and American Telephone and Telegraph Company, C.A. 82-0192-HHG, the attached Request of BellSouth Corporation for a Waiver of the Modification of Final Judgment to Allow Provision of Two-Way Non-Optional Extended Area Service Across a LATA Boundary Between the Chapel Hill Exchange in the Raleigh LATA and the Saxapahaw Exchange in the Greensboro LATA. The Department of Justice will receive comments concerning this request, which should be directed to:

Donald J. Russell, Esq.  
Chief, Communications and Finance Section  
Antitrust Division  
U.S. Department of Justice  
555 Fourth Street, N.W., Room 8104  
Washington, D.C. 20001

Comments should be submitted within twenty-one (21) days. Copies of any such comments should also be served upon undersigned counsel.

Respectfully submitted,

BELLSOUTH CORPORATION

By: Michael J. Schwarz  
Walter H. Alford  
Executive Vice President and  
General Counsel  
(admitted pro hac vice)  
William B. Barfield  
(D.C. Bar No. 52472)  
Michael J. Schwarz  
(admitted pro hac vice)

Dated: September 20, 1995

Of Counsel:

Leon H. Lee, Jr.  
200 S. College Street  
1012 Southern National Center  
Charlotte, NC 28202  
(704) 378-8835

Its Attorneys

Suite 1800  
1155 Peachtree Street, N.E.  
Atlanta, GA 30309-3610  
(404) 249-2641

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

WESTERN ELECTRIC COMPANY )  
INC., et al., )

Defendants. )

Civil Action File  
82-0192 (HHG)

**REQUEST OF BELL SOUTH CORPORATION FOR A WAIVER  
OF THE MODIFICATION OF FINAL JUDGMENT TO ALLOW  
PROVISION OF TWO-WAY NON-OPTIONAL EXTENDED AREA SERVICE  
ACROSS A LATA BOUNDARY BETWEEN THE CHAPEL HILL EXCHANGE  
IN THE RALEIGH LATA AND THE SAXAPAHAW EXCHANGE IN THE  
GREENSBORO LATA**

BellSouth Corporation, on behalf of its operating telephone company subsidiary, BellSouth Telecommunications, Inc., doing business as South Central Bell Telephone Company and Southern Bell Telephone and Telegraph Company ("BellSouth"), pursuant to Section VIII(C) of the Decree, requests a waiver of the line of business restrictions that would permit it to provide two-way non-optional extended area service ("EAS") across a LATA boundary. The North Carolina Utilities Commission ("NCUC") has issued an order requiring BellSouth to take the action necessary to provide EAS between the Chapel Hill exchange and the Saxapahaw exchange.<sup>1</sup>

---

<sup>1</sup> In the Matter of Southern Bell Telephone and Telegraph Company - Saxapahaw to Chapel Hill Extended Area Service, Order Authorizing InterLATA Extended Area Service and Requiring Southern Bell to seek Waiver, Docket No. P-55, Sub. 1006, NCUC, July 12, 1995,

The Chapel Hill exchange is in the Raleigh LATA and the Saxapahaw exchange is in the Greensboro, North Carolina LATA.<sup>2</sup> The NCUC ordered BellSouth to poll its subscribers based on support from Alamance County Board of Commissioners, business subscribers, letters and petitions signed by approximately 525 Saxapahaw subscribers.<sup>3</sup> As shown in the NCUC's Order of July 12, 1995, over 72 percent of the subscribers who returned their ballots in the Saxapahaw exchange favored the EAS proposal.<sup>4</sup> Implicit in the NCUC's order is a finding of a community of interest between these exchanges and that the proposed EAS is in the public interest.<sup>5</sup> In addition, a 30-day calling study showed that the Community of Interest ("CIF") factor exceeded the CIF requirement in the Commission's rules.<sup>6</sup>

The limited number of subscribers involved and the small amount of interLATA traffic

---

attached as Exhibit "A."

<sup>2</sup> See, Map attached as Exhibit "B." The Chapel Hill exchange contains 45,283 local access lines, and the Saxapahaw exchange has 3,784 local access lines.

<sup>3</sup> See, In the Matter of Southern Bell Telephone and Telegraph Company - Saxapahaw to Chapel Hill InterLATA Extended Area Service, Order Authorizing Polling, Docket No. P-55, Sub. 1006, April 26, 1995, attached as Exhibit "C."

<sup>4</sup> See, Order Authorizing Extended Area Service and Requiring Southern Bell to Seek Waiver. Under the NCUC's rules it was not necessary to ballot the subscribers in the Chapel Hill exchange. The Commission also ordered BellSouth to adopt an implementation schedule. The schedule presented to the NCUC states that the proposed EAS arrangements will be effective on July 27, 1995. Of course, final planning and installation of the necessary facilities must begin several months prior to them.

<sup>5</sup> NCUC Rule R9-7(e).

<sup>6</sup> NCUC Rule 9-7(d)(2). The CIF factor is a ratio of the number of customer calls placed between two exchanges divided by the total number of customer lines in those exchanges. The standard set out in Rule 9-7(d)(2) demonstrates the existence of a community of interest between the exchanges.



affected by this proposal ensure that there can be no adverse impact on the interLATA market. The service will be offered as a non-optional EAS plan, consistent with those that have been previously approved by the Court.<sup>7</sup> Therefore, BellSouth requests that the Department recommend the attached waiver to the Court.

Respectfully submitted,

BELLSOUTH CORPORATION

By: Michael J. Schwarz  
Walter H. Alford  
Executive Vice President and  
General Counsel  
(admitted pro hac vice)  
William B. Barfield  
(D.C. Bar No. 52472)  
Michael J. Schwarz  
(admitted pro hac vice)

Dated: September 20, 1995

Of Counsel:

Leon H. Lee, Jr.  
200 S. College Street  
1012 Southern National Center  
Charlotte, NC 28202  
(704) 378-8835

Its Attorneys

Suite 1800  
1155 Peachtree Street, N.E.  
Atlanta, GA 30309-3610  
(404) 249-2641

---

<sup>7</sup> However, because Chapel Hill and Saxapahaw are in different NPAs it is not possible to provide seven digit dialing.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

WESTERN ELECTRIC COMPANY )  
INC., et al., )

Defendants. )  
\_\_\_\_\_)

Civil Action File  
82-0192 (HHG)

**MOTION AND PROPOSED ORDER FOR A WAIVER OF THE  
MODIFICATION OF FINAL JUDGMENT TO ALLOW PROVISION OF  
NON-OPTIONAL EXTENDED AREA CALLING SERVICE**

In accordance with the procedure set forth in the Court's March 15, 1984 Memorandum Order, the Department has considered the attached request from BellSouth Corporation, and concurs in the request. Therefore, the United States hereby moves this Court to grant a waiver allowing BellSouth to provide two-way non-optional extended area service between the Chapel Hill Exchange in the Raleigh LATA and the Saxapahaw Exchange in the Greensboro LATA.

Respectfully submitted,

\_\_\_\_\_  
Donald J. Russell, Esq.  
Chief  
Communications and Finance Section  
Antitrust Division  
U.S. Department of Justice  
Washington, D.C. 20001

Dated: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

WESTERN ELECTRIC COMPANY )  
INC., et al., )

Defendants. )  
\_\_\_\_\_)

Civil Action File  
82-0192 (HHG)

**ORDER**

Upon consideration of the motion filed by the United States on \_\_\_\_\_, 1995, to permit BellSouth to provide two-way non-optional extended area service between the Chapel Hill exchange in the Raleigh LATA and the Saxapahaw exchange in the Greensboro LATA, and noting no objection thereto, it is hereby

ORDERED that the motion is granted and that BellSouth may provide two-way non-optional extended area service across a LATA boundary between the Chapel Hill exchange and the Saxapahaw exchange.

\_\_\_\_\_  
Harold H. Greene  
United States District Judge

Dated: \_\_\_\_\_

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. P-55, SUB 1006

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Southern Bell Telephone and Telegraph Company - )	ORDER AUTHORIZING
Saxapahaw to Chapel Hill Extended Area Service )	INTERLATA EXTENDED
)	AREA SERVICE AND
)	REQUIRING SOUTHERN
)	BELL TO SEEK WAIVER

BY THE COMMISSION: By Order issued April 26, 1995, the Commission authorized Southern Bell Telephone and Telegraph Company (Southern Bell) to conduct a poll of the subscribers in its Saxapahaw exchange to determine their desire for two-way, non-optional interLATA extended area service (EAS) to its Chapel Hill exchange. Since no local rate increases applied at the Chapel Hill exchange for establishing the proposed EAS, polling of those subscribers was not necessary.

On June 26, 1995, Southern Bell filed the following poll results of its Saxapahaw subscribers:

Number of ballots mailed	3,839
Number and (%) of eligible ballots Returned	1,721 (44.8)
Number and (%) of eligible ballots returned voting in favor	
Residence	1,172 (72.0)
Business	73 (78.5)
Combined	1,245 (72.3)

This matter came before the Regular Commission Staff Conference on July 10, 1995. The Public Staff recommended that, based on the favorable poll results of the Saxapahaw subscribers, the Commission should issue an Order approving interLATA EAS between the Saxapahaw and Chapel Hill exchanges and requiring Southern Bell to seek a waiver from the federal courts to provide the interLATA EAS.

After careful consideration of the filings in this docket, the Commission concludes that the proposed interLATA EAS between the Saxapahaw and Chapel Hill exchanges should be approved and Southern Bell should be required to seek a waiver from the federal courts to provide the proposed EAS.

IT IS, THEREFORE, ORDERED as follows:

1. That the proposed interLATA EAS between Saxapahaw and Chapel Hill be approved.
2. That Southern Bell be required to immediately seek a waiver from the federal court to provide the interLATA EAS herein. Southern Bell shall report to the Commission its progress in obtaining such waiver within six months of the date of this Order.
3. That, after Southern Bell shall have obtained the waiver, it shall submit a time schedule to the Commission for establishing the EAS and file the necessary tariffs with the Commission effective upon the in-service date of the EAS.

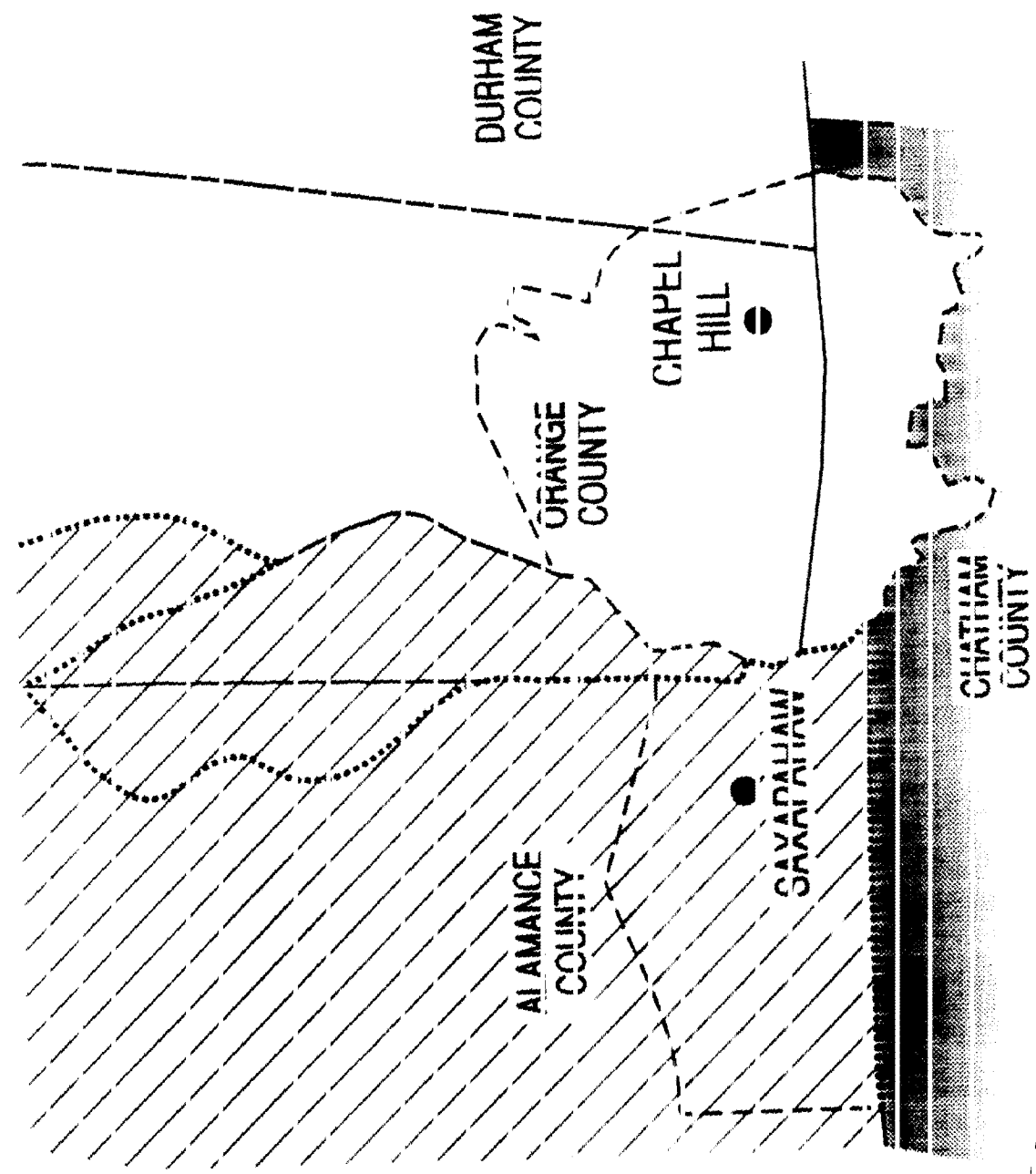
ISSUED BY ORDER OF THE COMMISSION.

This the 12<sup>th</sup> day of July 1995.

NORTH CAROLINA UTILITIES COMMISSION

  
\_\_\_\_\_  
Geneva S. Thigpen, Chief Clerk

(SEAL)



EXCHANGE BOUNDARY  
AREA CODE BOUNDARY  
COUNTY BOUNDARY

EXHIBIT B

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO P-55, SUB 1006

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Southern Bell Telephone and Telegraph Company - )	ORDER AUTHORIZING
Saxapahaw to Chapel Hill InterLATA Extended )	POLLING
Area Service )	

**BY THE COMMISSION:** On January 11, 1995, Ms. Carol Chandler submitted resolutions, letters and petitions in support of two-way, non-optional interLATA extended area service (EAS) between Southern Bell Telephone and Telegraph Company's (Southern Bell's) adjacent Saxapahaw and Chapel Hill exchanges. The Saxapahaw exchange, which currently has 3,784 local access lines, is located in the southern part of Alamance County and is in the Greensboro LATA. The Chapel Hill exchange, which currently has 45,283 local access lines, is located primarily in Orange County and is in the Raleigh LATA. Today, the Saxapahaw exchange has EAS to the Burlington, Anderson, Mebane, Gibsonville, and Kimserville exchanges while the Chapel Hill exchange has EAS to the Hillsborough, Mebane, and Pittsboro exchanges and to the Research Triangle Park and Raleigh-Durham Airport.

Support for the proposed EAS came from State Representative Cary D. Allred, the Alamance County Board of Commissioners, doctors, dentists, developers, other residential and business subscribers and petitions signed by approximately 525 Saxapahaw subscribers.

As to the results of a 30-day toll calling study made between the two exchanges, Southern Bell is able to provide only a combined (residence and business) CIF. On any interLATA route, the calling data Southern Bell is able to obtain from the long distance carriers (IXCs) is not adequate for computing CIFs separately for residential and business subscribers or for computing any PMCs. For this proposal, Southern Bell has provided combined CIFs of 0.2 for calling from Chapel Hill to Saxapahaw and 3.0 for calling from Saxapahaw to Chapel Hill. The 3.0 CIF exceeds the combined CIF requirement of 2.5 in the Commission's EAS Rule R9-7(d)(2) for an inter-county EAS proposal between exchanges with a common boundary. Since calling data is not available for computing PMCs, the Public Staff requested the Commission to waive that requirement in this proposal.

This matter came before the Regular Commission Conference on April 24, 1995. Based on application of Southern Bell's EAS matrix tariff, the following monthly local rate increases would apply for establishing the proposed EAS:

<u>Exchange</u>	<u>Residence</u>	<u>Business</u>
Saxapahaw	\$0 53	\$1.68
Chapel Hill	\$0 00	\$0.00

The Public Staff recommended that the Commission issue an Order authorizing Southern Bell to conduct a poll of its Saxapahaw subscribers to determine their desire for EAS to Chapel Hill.

The following persons appeared in support of the Public Staff's recommendation: Ms. Carol Chandler, a Saxapahaw resident, and Mr. Max Jordan, President of Jordan Properties.

WHEREUPON, the Commission reaches the following

#### CONCLUSIONS

After careful consideration, the Commission concludes that good cause exists to approve the Public Staff's recommendation for the reasons generally set forth by the Public Staff and proponents of the EAS.

IT IS, THEREFORE, ORDERED as follows:

1. That Southern Bell be authorized to conduct a poll of its Saxapahaw subscribers to determine their desire for EAS to Chapel Hill utilizing the polling letter attached to this Order as Exhibit A.

2. That Southern Bell submit the poll results separately for residential and business subscribers as soon as the results are known.

ISSUED BY ORDER OF THE COMMISSION

This the 26<sup>th</sup> day of April 1995.

NORTH CAROLINA UTILITIES COMMISSION

(SEAL)

  
Geneva S. Thigpen, Chief Clerk

Commissioner Laurence A. Cobb dissents.



If you need additional information about this matter, you may contact your local telephone office at ( ) or the Public Staff, Post Office Box 29520, Raleigh, North Carolina 27626-0520, (919-733-0882)

ISSUED BY ORDER OF THE COMMISSION

This the 26<sup>th</sup> day of April 1995.

NORTH CAROLINA UTILITIES COMMISSION

(SEAL)

Geneva S. Thigpen  
Geneva S. Thigpen, Chief Clerk